

# Memorandum

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To: DISTRICT DEPUTIES FOR  
ENVIRONMENTAL

Date: March 28, 2003

File: Admin

From:   
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Chief  
Division of Environmental Analysis, MS27

Subject: Revised EIS Review Procedures

As part of the Department's continuing efforts to streamline the environmental process and improve the quality of environmental documents, the Division of Environmental Analysis (DEA) issued revised EIS Review Procedures on November 29, 2001. Since then, additional desirable changes have been identified. This memorandum transmits new EIS Review Procedures. These revised procedures have been reviewed and approved by FHWA and are effective immediately.

The focus of this revision is on the timing of the HQ DEA review, which was previously conducted simultaneously with FHWA's review. The DEA review will now occur at the same time as the Legal Division's review, and after Technical Specialist, Peer, Technical Editor and Supervisor Quality Control reviews have been completed in the Districts. DEA is committed to conducting the full review within 30 days of submittal of a complete package; the Legal Division has also committed to a goal of 30 days for their sufficiency review.

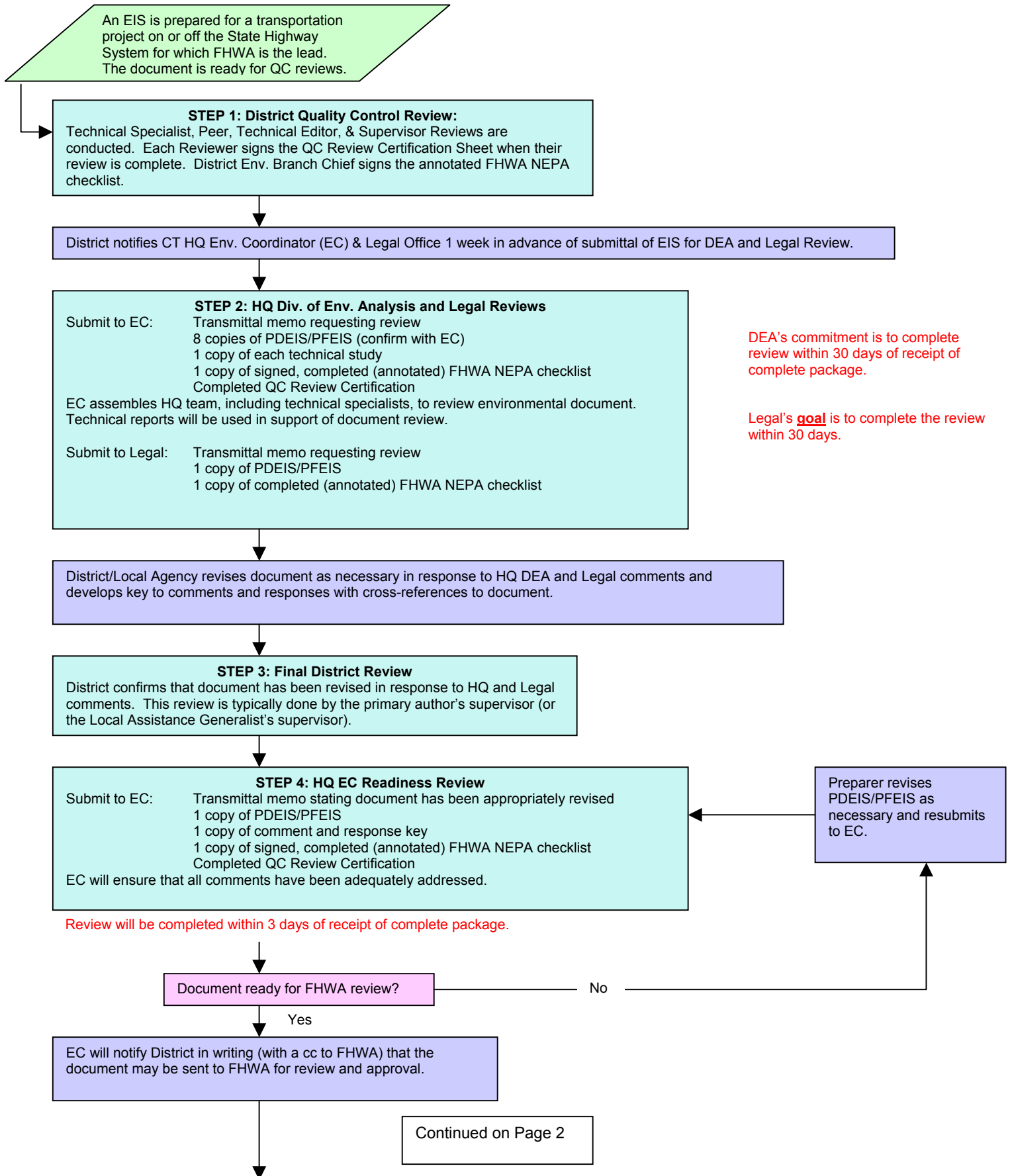
With this revised process, all Department issues will be addressed and revisions incorporated into the document prior to its submittal to FHWA. This will result in a better quality document upon initial submittal to FHWA, eliminate duplicate comments by DEA and FHWA, and ultimately streamline the review process.

As previously, these procedures are applicable to EISs for Local Assistance projects in the same manner as EISs prepared for projects on the State Highway System.

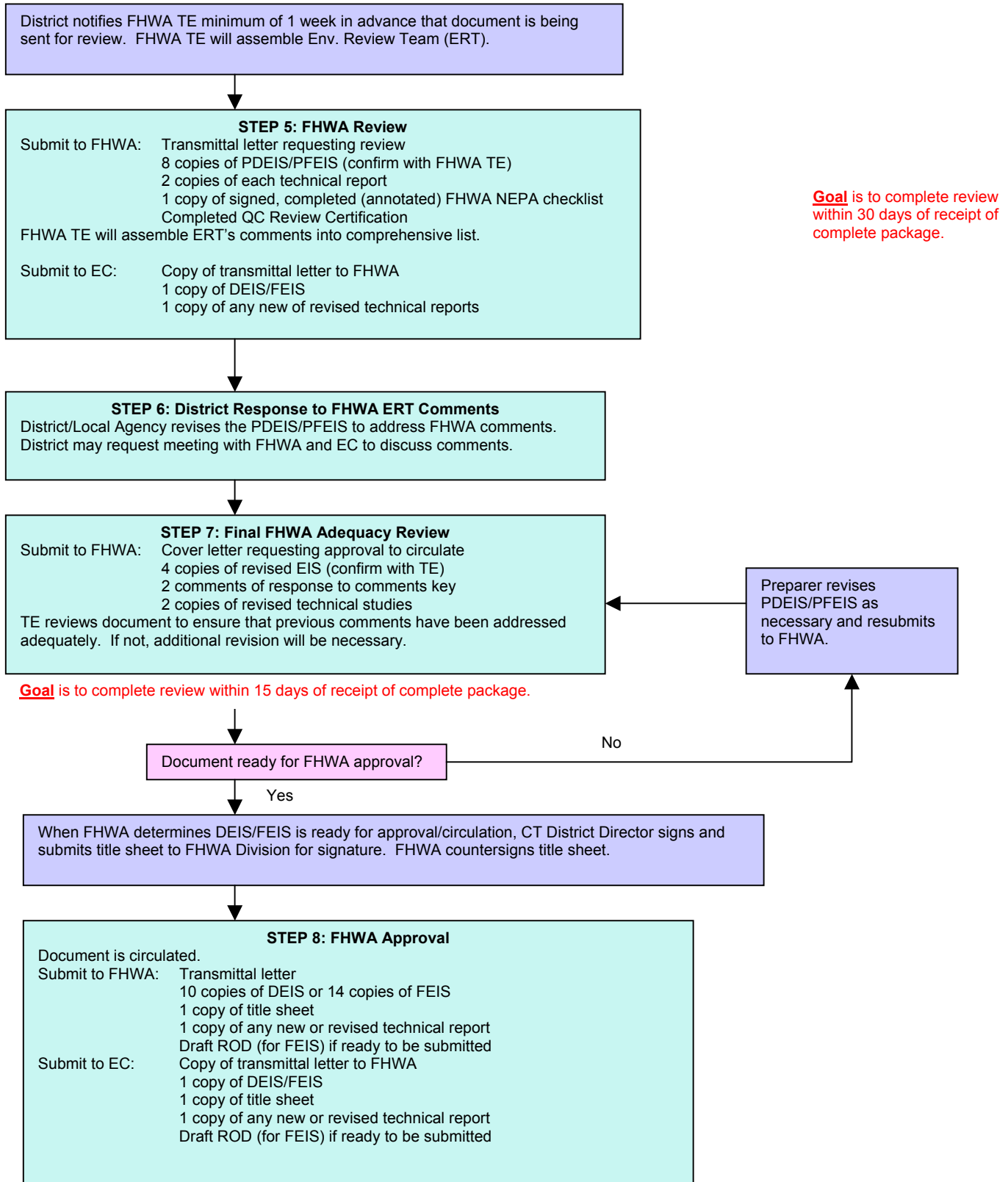
If you have any questions regarding these revised procedures, please contact your DEA Coordinator.

Attachment

# Revised EIS Review Procedures March 2003



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For transportation projects both on and off the State Highway System (i.e., on local streets and roads) for which an EIS is prepared and FHWA is the lead Federal Agency, the Caltrans District Environmental Branch Chief is responsible for ensuring that internal Quality Control reviews are conducted. EISs prepared for projects off the State Highway System shall be routed through the District Local Assistance Engineer (DLAE) prior to the Quality Control review and the DLAE shall be copied on all CT Dist/CT HQ and FHWA comments. The step by step procedures provided below are to be followed for all EISs being submitted to FHWA for review or approval.

### **Step 1: District Quality Control Review**

The District/Region will undertake quality control review of each EIS, following the requirements of the Department's Environmental Document Quality Control Program and the District's Quality Control Plan. The following reviews are required:

**Technical Specialist Review:** Each technical specialist who contributed to development of the EIS shall review pertinent sections of the document to assure the PDEIS/PFEIS addresses the technical issues correctly. For Caltrans, Local Agency or consultant-prepared documents, the authors of the technical reports shall work with the PDEIS/PFEIS writer to ensure the conclusions of their studies are accurately conveyed for public disclosure.

**Peer Review:** A peer review shall be conducted by staff who have not participated in the preparation of the EIS. Peer review provides a "fresh set of eyes" for clarity, consistency and readability.

**Technical Editor Review:** There shall be a technical editor review, focused on grammar, syntax, appropriate use of graphics, clarity and readability. If the District/Region lacks staff classified as Research Writers, management shall assign an independent reviewer who is well versed in these skills to provide the editorial review.

**Supervisor Review:** A review shall be performed by the supervisor of the primary author of/or coordinator of the EIS. The review shall ensure QC standards are met and the document is consistent with the Department's requirements, standards, and guidance.

The District/Region/Local Agency will revise the document to address issues raised during these reviews. Once the document has been revised, as necessary, each reviewer certifies completion of the review on the Quality Control Review Certification Sheet.

When the District Environmental Branch Chief determines that the EIS is complete, s/he shall sign the completed FHWA NEPA Document Checklist. The items on the checklist are to be cross-referenced with the page number in the EIS on which that item is addressed. For EISs off the State Highway System, the Local Agency is responsible for providing cross-referenced page numbers on the checklist.

*Reference: Gary Winters' memos of November 29, 2001; July 11, 2002; January 13, 2003, and Districts/Regions Quality Control/Quality Assurance Plans.*

### **Step 2: HQ Division of Environmental Analysis and Legal Reviews**

The HQ Division of Environmental Analysis (DEA) and the Legal Division will review the EIS concurrently. One week in advance of submitting the document for review, the District/Region will notify the appropriate DEA Environmental Coordinator (EC) and Legal Office when the PDEIS/PFEIS is expected to arrive for their review.

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**HQ DEA Review:** The PDEIS/PFEIS submittal package will be sent to the EC. The submittal package requires:

- Transmittal Memo requesting review
- 8 copies of the PDEIS/PFEIS (confirm with EC)
- 1 copy of each technical study
- 1 copy of the completed FHWA NEPA checklist
- Completed QC Review Certification Sheet with evidence of:
  - ✓ District technical specialist reviews
  - ✓ Peer review
  - ✓ Technical Editor review
  - ✓ Supervisor Review

A complete PDEIS/PFEIS shall follow the standard EIS outline and shall have:

- Correct title page
- All chapters present and complete
- All appendices present and complete
- All required correspondence present
- Complete, clear and legible exhibits
- Section 106, Section 7, Section 404, Section 4(f) compliance documentation, as applicable
- Discussions required in the FHWA NEPA document checklist

Incomplete submittals will not be reviewed.

The EC will assemble an interdisciplinary team within Headquarters to review the document. The leader of the DEA review team is the EC assigned to the district in which the project is located. The EC will review the full document. In addition, DEA and other HQ technical specialists will review pertinent portions of the PDEIS/PFEIS. The technical documents will be used in support of the PDEIS/PFEIS review. The EC will compile the comments from the various technical specialists.

Provided the submittal package is complete, HQ will complete its review within 30 calendar days of receipt. HQ DEA comments will be sent to the District/Region and DLAE if applicable, with a copy to the responsible Legal Office.

The ECs will work with the Districts/Regions to resolve issues generated by the comments and to ensure the document has been revised appropriately. A meeting or workshop may be convened by the EC or the Districts/Regions/DLAE to facilitate this process.

**Legal Review:** Concurrent with the HQ DEA review is the legal review. The submittal package to Legal shall include:

- Transmittal Memo requesting review
  - 1 copy of the PDEIS/PFEIS, and
  - 1 copy of the completed FHWA NEPA checklist
- (Note: The Districts/Regions should have a copy of the technical studies available to send to Legal IF REQUESTED. Do not send with initial package.)

Legal has committed to a goal of a 30-day review. Comments from legal will be sent to the District/Region and DLAE if applicable, with a copy to the HQ EC.

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The District/Region/Local Agency shall revise the document as necessary in response to HQ's and Legal's comments and develop a key to comments and responses, cross-referenced to revisions in document.

### **Step 3: Final District Review**

The Final District Review shall confirm that the document has been revised in response to HQ and Legal comments. This review will typically be done by the Supervisor of the primary author of the document, or the Supervisor of the environmental generalist for Local Assistance projects.

### **Step 4: HQ EC Readiness Review**

The package is sent to the HQ EC for FHWA readiness review. The submittal package shall contain:

- Transmittal Memo stating that the document has been appropriately revised
- 1 copy of the PDEIS/PFEIS
- The comment and response key
- 1 copy of the signed FHWA NEPA checklist
- 1 copy of the signed QC Review Certification Sheet

The EC will ensure that all comments have been adequately addressed. Revisions will be made as necessary. Once the EC determines the document is ready, he/she will notify the District/Region and DLAE when applicable in writing (with a cc to FHWA) that the document may be sent to FHWA for review and approval. This "readiness review" will be completed within 3 working days.

### **Step 5: FHWA Review**

The District/Region shall notify the FHWA TE a minimum of one week before the document is submitted to their team for review.

The TE identifies the members of the FHWA Environmental Review Team (ERT) and notifies them to expect the document within the following week. The ERT will include FHWA staff with expertise in the particular technical areas involved in the project. The TE shall consolidate the ERT's comments into a comprehensive list.

Caltrans District/Region submits the following:

To FHWA:

- Transmittal Letter requesting review
- no less than 8 copies of PDEIS/PFEIS (confirm with FHWA TE)
- 2 copies of each technical report
- 1 copy of the signed FHWA NEPA checklist
- Completed/signed QC Review Certification Sheet

To DEA EC:

- A copy of the transmittal letter to FHWA
- 1 copy of the DEIS/FEIS
- 1 copy of any new or revised technical report

The FHWA review will be completed within 30 days (goal). Comments will be returned to the District/Region with a copy to the HQ EC and, when applicable, a copy to HQ Division of Local Assistance and the DLAE.

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### **Step 6: District Response to FHWA ERT Comments**

Caltrans District or Local Agency revises the PDEIS/PFEIS to address the FHWA comments. The District Environmental Branch Chief or DLAE may request a meeting or conference call with the TE and EC to discuss the comments.

### **Step 7: Final FHWA Adequacy Review**

The next submittal to FHWA shall include a key to comments and responses cross-referenced to revisions in the document (by page number). The revisions to the DEIS/FEIS shall be highlighted to focus the reviewers' attention on the changes.

Submit to FHWA:

- Cover letter requesting EIS approval
- 4 copies of revised EIS
- 2 copies of responses to the comments key
- 2 copies of any new or revised technical studies

Submit to EC:

- 1 copy of each item submitted to FHWA

The TE reviews the revised DEIS/FEIS for adequacy. The focus of this review is to ensure previous comments have been adequately addressed. If the TE determines that the comments have not been adequately addressed, additional revisions will be necessary.

### **Step 8: FHWA APPROVAL**

When the TE and the FHWA Chief of District Operations determine that the revised DEIS/FEIS is ready for approval/circulation, the Caltrans District Director, or designee, will sign and submit the EIS Title Sheet to the FHWA Division for signature. The District/Region submits:

To FHWA:

- Transmittal Letter
- 10 copies of the DEIS and 14 copies of the FEIS to the FHWA Division for circulation
- 1 copy of the Title Sheet
- 1 copy of any new or revised technical report
- Draft ROD (for FEISs) if ready to be submitted

To EC:

- A copy of the transmittal letter to FHWA
- 1 copy of the DEIS/FEIS
- 1 copy of the Title Sheet
- 1 copy of any new or revised technical report
- Draft ROD (for FEISs)

The FHWA Division Administrator signs the Title Sheet and the DEIS/FEIS is circulated. The District shall also circulate the document to others per the EIS Distribution List. The Local Agency is responsible for circulating documents for projects off the State Highway System.

For submittal requirements to the State Clearinghouse and the California Transportation Commission, see the SER at <http://www.dot.ca.gov/ser/>